

AMERICAN NOTE IN FRYE CASE

Contraband and Vessels Carrying It Are Not to Be Destroyed.

Washington, June 28.—By agreement with the German foreign office the state department made public tonight the text of the note sent on June 24 by the United States asking Germany to reconsider her refusal to settle by direct diplomatic negotiations, instead of by prize court proceedings, the claim presented on behalf of the captain and owners of the American ship William P. Frye, sunk with her cargo of wheat by the commerce raider Prinz Eitel Friedrich. Ambassador Gerard cabled that he had delivered the note last Saturday afternoon.

The American government declares that inasmuch as Germany has admitted liability for the sinking of the Frye, under the treaty of 1828, prize court proceedings are unnecessary and not binding upon the United States.

Aside from the question of how the indemnity should be paid, the note brings out clearly the refusal of the United States to accept the contention that Germany has a right to stop the carrying of contraband by American ships "by the destruction of the contraband and the ship carrying it." While no mention of submarine warfare was made in either the last German note or the present reply, occasion was taken to deny this right because of a belief that admission

of it now might in the future be used as a justification for submarine attacks on American ships.

Full Text of Note.

Here follows the text of the note, which is addressed by Secretary Lansing to Ambassador Gerard in Berlin: Department of State, Washington, June 24, 1915.

"You are instructed to present the following note to the German minister of foreign affairs:

"I have the honor to inform your excellency that I duly communicated to my government your note of the 7th instant on the subject of the claim presented in my note of April 3 last, on behalf of the owners and captain of the American sailing vessel William P. Frye in consequence of her destruction by the German auxiliary cruiser Prinz Eitel Friedrich.

"In reply, I am instructed by my government to say that it has carefully considered the reasons given by the Imperial German government for urging that this claim should be passed upon by the German prize court instead of being settled by direct diplomatic discussion between the two governments of the United States and that it regrets to find that it can not concur in the conclusions reached by the Imperial German government.

"As pointed out in my last note to you on this subject, dated April 30, the government of the United States has considered that the only question under discussion was the method which should be adopted for ascertaining the amount of the indemnity to be paid under an admitted liability and it notes with surprise that in addition to this question the Imperial German government now desires to raise some questions as to the meaning and effect of the treaty stipulations under which it has admitted its liability.

"If the government of the United States correctly understands the position of the Imperial German government as now presented, it is that the provisions of article 13 of the treaty between the United States and Prussia, which is continued in force by the treaty of 1828, justified the commander of the Prinz Eitel Friedrich in sinking the William P. Frye, although making the Imperial German government liable for the damages suffered in consequence, and that inasmuch as the treaty provides no specific method for ascertaining the amount of indemnity to be paid, that question must be submitted to the German prize court for determination.

The government of the United States on the other hand, does not find in the treaty stipulations mentioned any justification for the sinking of the Frye, and does not consider that the German prize court has any jurisdiction over the question of amount of indemnity to be paid by the Imperial German government on account of its admitted liability for the destruction of an American vessel on the high seas.

GERMAN CATHOLIC RECRUITING MUST MAKES PROTEST STOP IN U. S.

Rome, via Paris, June 28, 8:15 p. m.—Cardinal von Hartmann, archbishop of Cologne, and Cardinal von Bettinger, archbishop of Munich, have addressed the pope strongly protesting against a publication which has appeared in Paris under the title of "War and Catholicism." This publication was compiled by Monsignor Baudrillart, rector of the Catholic institute at Paris, with an introduction by Cardinal Amette, archbishop of Paris, and relates to alleged German atrocities, chiefly against the church. Cardinals von Hartmann and von Bettinger deny that such atrocities ever occurred, and declared that Cardinal Mercier never was imprisoned, as asserted in the article in question, and they said:

"If the French and Belgian clergy continue such a campaign they will force the German Catholic clergy to recourse to reprisals, giving the world an unedifying spectacle of Christian brotherhood."

Canadian Casualty List.

Ottawa, Ont., June 28.—In an official statement issued by the militia department tonight, 100 names are added to casualty list of the Canadian contingent, fourteen of whom were killed in action. Private M. W. Hinton, of London, Ohio, and James Dickson of Pittsburgh are mentioned among the wounded.

Joseph Harold White of Washington, D. C., is reported killed in action in an additional casualty list issued by the militia department.

Montenegrins March on Alessio.

Berlin, June 28, by wireless to Sayville.—A telegram received here from Scutari says the Montenegrins have occupied the Albanian harbor of Giouvanni Medua, and are now marching on Alessio.

Montreal, June 28.—The Allen liner Scandinavian has reached England with reinforcements for the Fifty-seventh (French-Canadian) regiment on board.

ITALIANS IN THE MOUNTAIN PASSES

Rome, June 28.—Italian Infantry forces, effectively supported by their artillery, have made further important advances at both extremities of the Italo-Austrian front.

South of Riva, at the northern extremity of Lake Garda, the Alpine troops, fighting through narrow passes, some of which are banked by mountain walls rising to the height of 3,000 feet, have penetrated to within six miles of Riva.

As a result of a series of sanguinary engagements in the lava sector the Italians along the Isorno have forced a passage of the river between Sagrado and Gorizia, and have entrenched themselves on the eastern bank at some places within halting distance of the Austrians.

Advancing Rapidly.

General Cardona reports that the Italians are maintaining their positions everywhere and are advancing steadily.

All the papers here make mention today of the official denial of the statement that the ministerial council had considered the question of sending an expedition to the Dardanelles. The Messagero reflects the opinion of most of the Rome papers when it says that it has nothing to retract from what it published yesterday when it insisted upon the necessity of the quadruple entente using all the forces at its command in order to promptly secure a passage of the straits.

"The fall of Constantinople," says the Messagero, "would bring before Bulgaria and Rumania the necessity for action. Rumania's partial demobilization does not imply that the Austro-Germans have succeeded in averting or delaying intervention, but is due to the fact that the reservists have been sent home with the object of hastening the harvest." As soon as the wheat is gathered and stored the reservists will rejoin the colors."

WRESTLERS READY FOR BIG EVENT

With the championship bout only two days off, Jack Harbertson and David Jones, who are to wrestle for the middleweight title, were reported today as virtually ready to go on the mat.

That the affair is to be a struggle of no little interest is indicated by the fact that the two men have been unable to agree on a referee and, according to the articles of agreement, the third man on the mat is to be chosen by the sporting editors of the local newspapers.

This matter is one of considerable importance as the bout, in addition to being for the entire net receipts, is for the entire net receipts and a good-sized purse.

Ed Ferguson, the veteran local heavyweight fireman, has been prominently spoken of by local fans for the position of referee, his record showing that he is a lover of fair play and has plenty of ability to handle the job. Others mentioned are Pete Visser of Ogden and Ben Barker of Salt Lake.

Fred Preshaw and Charles Rady have been secured by Promoter Samuels to be the principals in one of the preliminary bouts and the battle royal between Brig Harbertson, Arthur Smalley, Scott Wallace, Lou Roberts and Tourey Campbell promises to furnish good entertainment.

AUSTRIANS AND GERMANS CONFER

Frankfurt, Germany, via London, June 28, 11 a. m.—Berlin correspondent of the Frankfurter Zeitung, who has close relations with the foreign office, surmises that one purpose of the visit of Chancellor von Bethmann-Hollweg and Foreign Minister von Jagow to Vienna is to discuss what steps may be taken to counteract the efforts of the Entente powers to induce the Balkan states to join them in the war.

A dispatch from Vienna yesterday stated that Dr. von Bethmann-Hollweg and Herr Jagow had arrived there for a conference with Emperor Francis Joseph and the Austro-Hungarian foreign minister.

San Francisco, June 28.—After the federal grand jury, which is investigating alleged recruiting for the allies in San Francisco, had examined several of a party of nine so-called recruits brought back from New York today, a statement was made by United States District Attorney John W. Preston, intimating that sufficient evidence had been obtained to warrant indictment of a number of persons accused of having directed recruiting work.

Preston telegraphed New York federal officials tonight not to send on any more alleged recruits detained there as witnesses. The men brought back today were ordered held as "detained witnesses" in the United States district court. None gave bond, which was fixed at \$300. Frank Staples, one of the party, confessed that he was a deserter from the United States army, and was turned over to army officers for court martial. Besides the nine came Horace Sage, who returned voluntarily, paying his own fare. He was not detained.

All the nine said they were British subjects. Some said they had deserted from the British navy. Fourteen of the original party sailed from New York recently on the steamer Arabelle, they said.

Edwin M. Stanton and Raymond Sarfaty, assistant United States district attorneys who came from New York with the men, said they probably would remain to assist local authorities in preparing the case. The men went from here in charge of a man known as Kenneth Croft, they said, and at Chicago were turned over to another man named Sullivan.

MUTINY OCCURS IN AUSTRIAN NAVY

Geneva, June 28.—Details of the Austrian naval mutiny in Admiral Spah's squadron at Pola reached here today.

The crew of one of the battleships, mostly Dalmatians, overpowered the officers and locked them in their cabins. They intended steaming out during the night to deliver the battleship over to the Italians.

The plot was discovered and the remainder of the fleet opened fire. The mutineers replied with all their guns for an hour and then hoisted the white flag and surrendered.

It is reported that the mutineers seriously damaged the dreadnought Radetzky. It is probable that all of them will be shot.

THIS DESCENDANT OF HARVARD'S FOUNDER NOW HARVARD GRAD



The only descendant of the founder of Harvard University to graduate from that institution is Lionel de Jersey Harvard of London, who received his diploma last week. Young Harvard, who was the poet of his class, expects to join the British army at the front.

LIQUOR QUESTION IN UTAH TODAY

"Wet" and "dry" issues are being fought out at elections under the local option law today in nine Utah towns and cities and in one county outside its incorporated communities.

The Provo election occupies the place in the sun of interest. Provo, the third largest city in the state, is not now "dry," and the citizens will vote on the question on petition of citizens who are dissatisfied with the present condition.

Other towns now "dry" which will either affirm or repudiate their arid state today are Logan, the fourth largest city in Utah; Gunnison and Smithfield.

Elections are being held in the "wet" towns of Farmington, Milford and Merysville. Petition of citizens who want to make them "dry." Elections will also be held on the liquor question in Phoenix, a newly incorporated town in Bingham district, and in Richmond.

In Richmond the election is to establish the legality of a previous election on the subject, which the "drys" claimed.

Phoenix, being a brand new town, is voting for the first time to determine what its attitude on the question will be.

In addition to the towns and cities mentioned, the county of Beaver—that is to say, the unit outside the incorporated cities and towns—will vote on the proposition today.

Under the law, the polls are open from 7 o'clock this morning until 7 o'clock tonight. In every place the voting promises to be spirited as citizens are vigorously lined up on both sides of the question.

Interest in Provo was intensified by the preliminary legal battle over the calling of the election. The petitioners for an election carried their request to the supreme court when the

Provo officials rejected it on the ground that there was not the number of signers required by law. The election was ordered held.

SANITATION MADE CANAL POSSIBLE.

Salt Lake, June 28.—Dr. T. B. Beatty is back from attendance at the annual convention of the American Medical association, held at San Francisco last week, with a story to the effect that the sanitation experts, more than the engineers, built the Panama canal. Anyway, Dr. Beatty argues that engineers failed at the herculean task until they were backed in their undertaking by the health guardians. A history of the work done at the Panama canal was given before the association delegates by Brigadier General William C. Gorgas, surgeon general of the United States army, who had charge of the work.

Dr. Beatty was especially interested in the sessions of the convention devoted to discussion of public health problems and disease prevention. The sense of the convention was that every effort should be made by public health officers to obtain publicity in the newspapers for sanitation propaganda as a part of a campaign of education on disease prevention. Dr. Beatty said that an interesting exhibit of methods of making war against flies and disease-carrying insects was on show in connection with the lectures on public health and sanitation.

The exposition, says Dr. Beatty, is a magnificent showing of mastery conception on the part of the builders. He did not have time to visit the exhibit throughout, but took note of the fact that the Utah exhibition compared favorably with the general showing.

EARTH SLIDE CLOSES CANAL TO BIG SHIPS.

Panama, June 28.—The slide on the west side of the Culebra cut section of the Panama canal, north of Contractors hill, has closed the channel to ships having a draft of more than 20 feet. The passenger ship Kroonland, which draws twenty-nine feet, has been delayed in sailing, but it is expected that she will depart tomorrow. The slide, though only a temporary one, is regarded as the forerunner of an important earth movement along the entire west bank for a distance of 4,000 feet north of Contractors hill and 1,500 feet back from the canal axis, including a large section of Zion hill.

SAYS SCHOOLS LACK SPIRIT-UALITY.

Provo, June 28.—The Rev. F. M. Sheldon of Boston, who is general secretary of the Congregational Educational society, spoke last evening at the local church on "The Place of Religion in Education," and incidentally discussed the future of Procter academy. He stated that it was the purpose of their society to bring Procter academy and all their schools in this western country up to the highest possible standard. Mr. Sheldon stated that he was trying to secure the best teachers available and that Procter academy would be made one of the best schools in Utah. He stated that the public schools and the state universities were lacking in one particular, and that was spiritual development.

WHEAT AND RYE CROPS RESERVED

London, June 28, 5:40 p. m.—Herbert C. Hoover, chairman of the American commission for relief in Belgium, has concluded an agreement with General von Bising, military governor of Belgium, providing that the wheat and rye crops in the zone occupied by the Germans shall be reserved for the civilian population.

DAY RELATIVELY CALM ON EASTERN FRONT

Paris, June 28, 10:25 p. m.—The following official communication was issued by the war office tonight:

"The day has been relatively calm on the whole front. There has been an artillery action to the north of Souchez, at Neuville and at Rocourt. Arras has been bombarded by heavy guns.

Between the Oise and the Aisne, the artillery duels have continued to our advantage.

In the Argonne and on the heights of the Meuse, at the Calonne trench, the Germans after their check of last night have made no further attacks.

"On the morning of June 27 one of our aeroplanes succeeded in dropping with success eight shells on the Zeppelin hangars at Friedrichshafen. Motor trouble obliged him to make a landing during his return. He succeeded in reaching Swiss territory at Rheinfelden."

TRAMPS INFEST PARK CITY.

Park City, June 28.—Park City is infested with tramps and it is not an uncommon thing for local residents to feed several each day. Many women have complained of losing sums of money, which fact they attribute to these tramps. Local officers have started a crusade against these idlers and each one that is arrested will be put to work on the roads.

Judge Crossman is very desirous of ridding the town of this class of people.

WOMAN IS DISCHARGED.

Price, June 28.—Bertha Wilson, colored, charged with the robbery of a Japanese at Helper four months ago, was discharged today, as the complaining witness could not identify her.

READY FOR LIQUOR ELECTION.

Provo, June 28.—Great activity is shown by the dry and wet forces for the liquor election tomorrow. Automobiles and other vehicles have been secured by both sides sufficient to carry all voters to the polls who are not sufficiently interested or who for other reasons prefer riding to walking. There is, however, such general interest that in most cases no great urging will be necessary to get the voters out. Each side expresses confidence that it will win.

ADMONISHES BURNING DEPOT.

Price, June 28.—In the district court today Peter Zolidski, charged with burning the depot at Schofield months ago, pleaded guilty to a misdemeanor and was sentenced to sixty days in the county jail.

AT THE CLUB.

"So our proposal was laid on the table, after all."

"I thought it would be closed."

SPECIAL This Week!

Ladies' and Men's Suits French Dry Cleaned
and Pressed

95c

The Dollar Cleaners

We call and deliver
PHONE
513
2562 Washington Avenue.

4% ON SAVINGS COMPOUNDED QUARTERLY

EUROPEAN CAPITAL

formerly an important factor in American industry, for the next generation is going to be very scarce.

We must finance our own enterprises, and the money to do it is to come from the SAVINGS of the people rather than from the coffers of a few big capitalists.

Through a savings account in the Ogden State Bank gradually put yourself in the position of a lender. It will mean sure profit to you.

OGDEN STATE BANK

CAPITAL & SURPLUS \$250,000.00

BUY OUR MAZDAS

Save 2-3 of your juice.

"They Stand Both Jolts and Volts."

ELECTRIC SERVICE CO.

425 24th St. Phone 88.

MILK TEST MADE PUBLIC BY CITY

That the bacteriological test of milk from the Weber county dairies, made by state and city health officers a few weeks ago was productive of good results, has been indicated by another extensive test. The official score of this test, showing the bacteria count and general conditions is as follows:

Dairy	General Average	Bottle Count	Butter Fat	Bacteria
Hunter	14,600	32	42.4	93
City	319,000	4.0	3.75	59.50
Riverdale	2,700	34	3.2	3.75
Peterson	700	35	2.4	3.75
Correy	5,500	33.8	3.4	86.30

One of the scores, that of the Peterson dairy, was so low that the inspectors decided to withhold its license until an investigation could be made.

The tests were made by Deputy State Inspector Peal and Professor George W. Bailey, city bacteriologist, and in connection with the report City Health Inspector George Shorten stated that other tests made at opportune times, to keep up the milk up to its present standard or to improve it. He also stated that he considered at the milk, with the exception of that from the one dairy mentioned, satisfactory.

Read the Want Ad Page.

MILLERS INVESTIGATE IDAHO.

Pocatello, Idaho, June 28.—Representatives of the J. K. Mullen company, millers, of Denver, are investigating conditions in the dry-farming communities throughout the Snake river valley. The company is planning on building a string of elevators beginning at Granger's Ferry and from there to Twin Falls, McCall, American Falls, Pocatello, McCammon and Arimo. They will handle wheat and other small grains almost exclusively.

Read the Classified Ads.
Read the Classified Ads.

Heating Insurance

By The Campbell System

THE question of home-heating is the big problem up here in the Northwest—important—not only for comfort but for health and life itself. That is why it will pay you from every point of view to investigate the Campbell method of heating.

You should lose no time in deciding on the system by which we confidently assure you even, regular heat, and good ventilation—in all times and weathers.

CAMPBELL'S WINTER CHASER

has this enormous advantage that you are bound to be satisfied; you run no risk of getting the wrong plant. The Campbell Heating Co., of Des Moines, Iowa, is with us in this plan which insures heat satisfaction, warm floors, no drafts. We submit to them your personal needs for heating; they make expert plans and specifications, guarantee to heat your home with moist, warm, clean air up to 70 degrees in the coldest weather—or they will not undertake it at all.

Fuel-saving is a big factor for the Campbell Heating System and the large fire-pot—reservoir—the big air-chamber and entrance door in jacket wall are vital reasons why the Winter Chaser is best. Will you let us explain more fully?

NEWMAN & STUART
2254 Washington Ave.

Summer Rash Washed Away

"Two seconds you can stop that itchy rash from summer rash, ivy rash, bites, hives, prickly heat, pimples or any skin troubles that come with sultry weather. Just a few drops of the mild, soothing wash, D. D. D. Prescription, will give you instant relief."

It costs just 25c for a generous trial bottle to prove it. All druggists sell D. D. D., but we offer the first full size bottle on the guarantee that it will give you instant relief or your money refunded. Ask also about D. D. D. Soap.

Culley Drug Co.

SUMMER EXCURSIONS

From
OGDEN AND SALT LAKE CITY
To
EAST AND RETURN



Kansas City \$40.00
St. Louis 51.20
Chicago 56.50
Memphis 59.85
Minneapolis 63.85
Proportionately Low Rates to many other points.

Return limit Oct. 31.
Liberal stopovers.
Diverse Routes.

Dates of Sale:
June 30, 1915.
July 7, 14, 21, 28, 1915.
August 4, 11, 18, 25, 1915.
September 1, 8, 15, 1915.

For further information address
E. R. LEIS,
General Agent, A. T. & S. F. Ry.,
233 Judge Bldg.
Salt Lake City. Wasatch 1123.

CROWN PAINLESS DENTISTS

2468 Washington Ave.,
Ogden, Utah.

Fit Guaranteed.
LARGEST WORK
HIGHEST PRICES

"COURT WEEK IN HEAVEN"



Theme tonight at the tent, Washington Avenue and 26th Street. Come. Free pictures.

FIRST NATIONAL BANK

OF OGDEN, UTAH,
U. S. DEPOSITORY.

Capital and Undivided Profits \$2,500,000.00
Deposits \$300,000.00

M. S. Browning, President.
John Watson, Vice-President.
L. R. Eccles, Vice-President.
R. B. Porter, Vice-President.
James I. Burton, Cashier.
Sumner P. Nelson, Asst. Cash.